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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael D. Krysiak.

Serial No.: 09/769,076

Filing Date: January 25, 2001

For: COLORED AND FRAGRANCED MULCH

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL  
APPLICATION**

Sirs:

This is in response to the Notice to File Missing Parts mailed March 22, 2001, in connection with the above-identified application. Applicant is enclosing herewith a copy of the cancelled check in the amount of \$1025.00 showing that the original filing fees were submitted to the Patent and Trademark Office.

A copy of the postcard acknowledging receipt of the check is also enclosed.

Since applicant believes this is an error on part of the U.S. Patent and Trademark Office, no surcharge is being submitted.

Dated: April 10, 2001

Respectfully submitted,

Philip M. Weiss  
Attorney for Applicant  
Reg. No.: 34,751  
Weiss & Weiss  
500 Old Country Road, Suite 305  
Garden City, New York 11530

PMW:kat

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence (and any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 10, 2001.

Dated: April 10, 2001

  
Philip M. Weiss



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GARDEN CITY, NY 11530

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DATE 1/25/01

\$ 1,025.00

Assistant Commissioner of Patents

BY THE ORDER OF

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A handwritten signature in ink that appears to read "Philip Klein".

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PATENT AND TRADEMARK OFFICE  
1700 PENNSYLVANIA AVENUE, N.W.  
U.S. GOVERNMENT  
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U.S. TREASURY

1016 31447

FIRST VISIONS INC.  
1101 S. GARDEN AVE.  
PHOENIX, AZ 85013  
1-800-527-1163  
#056 COI 1164

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Encap, LLC.

**For: COLORED OR FRAGRANCED HORTICULTURAL/AGRICULTURAL PRODUCTS**

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**Sir:**

**Enclosed please find:**

1. Patent Application (including Specification, Claims and Abstract);
2. Declaration;
3. Three (3) assignments (including Patent Recordation Cover Sheet);
4. Check in the amount of \$1,025.00 to cover the filing fee calculated as follows:

Total Claims: 50

Total Independent Claims: 13

5. Check in the amount of \$40.00 to cover the Assignment Recordation fee;
6. Six (6) sheets of formal drawings containing Figs. 1-5, 6A-6D and 7-8

**Please note that the Applicant is a SMALL ENTITY.**

**Please stamp and send back the enclosed postcard.**

**Respectfully Submitted,**

**Philip M. Weiss, Esq.  
Reg. No. 34,751**

**Express Mail mailing label No.: EL 436893814 US  
Date of Deposit: January 25, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231

Ken A. Trull January 25, 2001  
Signature Date

EL636893814US

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Applicant: Encap, LLC.  
Title: COLORED OR FRAGRANCED HORTICULTURAL/AGRICULTURAL  
PRODUCTS

Enclosed Please Find:

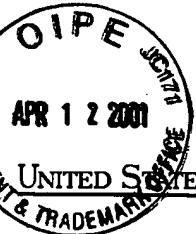
Patent Application (Specification, Abstract, Claims)  
Check in the amount of \$1,025.00 for the filing fee  
Declaration  
Recordation Form Cover Sheet  
Three (3) Assignments  
Check in the amount of \$40.00 (Check No. 1435)  
Six Sheets of DRAWINGS containing Fig. 1-2, 4-6 & 7-8.

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/769,076	01/25/2001	Michael D. Krysiak	P/35-4

CONFIRMATION NO. 7143

## FORMALITIES LETTER



\*OC000000005891272\*

Weiss & Weiss / Philip M. Weiss  
Suite 305  
500 Old Country Road  
Garden City, NY 11530

Date Mailed: 03/22/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

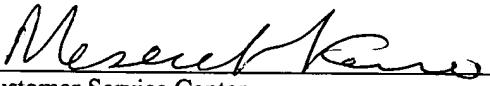
*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$670.
  - \$270 for 30 total claims over 20.
  - \$400 for 10 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1090.

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*A copy of this notice **MUST** be returned with the reply.*

  
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